

GOVERNMENT OF ANDHRA PRADESH  
ABSTARCT

Andhra Pradesh State Judicial Service – Junior Civil Judges – Sri B.Subhakar Rao, Junior Civil Judge, Sultanabad, Karimnagar District (under suspension) – Imposition of penalty of compulsory retirement from service against the officer on the recommendation of High Court of Andhra Pradesh – Orders – Issued.

= = = = =

LAW (LA & J- HOME – COURTS.C) DEPARTMENT

G.O.Ms.No. 93

Dated:14-08-2012,

Read:

From the Registrar (Vigilance) High Court of Andhra Pradesh, Hyderabad,  
D.O.LR.No.302/2010-Vigilance Cell, dated:04-05-2012.

&&&

O R D E R:

Whereas, in the letter read above, the Registrar (Vigilance) High Court of Andhra Pradesh, has stated that the High Court having considered the complaint petition against Sri B.Subhakar Rao, formerly Junior Civil Judge, Sultanabad, Karimnagar District, (now under suspension) by Smt. T.Jyothi, Asst. Public Prosecutor alleging that the officer had been harassing and humiliating her in several ways and subsequent report of the Registrar (Vigilance), High Court of A.P., initiated disciplinary proceedings against the officer. Three articles of charge were framed and communicated to the officer, calling for his written statement.

**Articles of Charge No. 1:**

That you Sri B.Subhakar Rao, Junior Civil Judge, Sultanabad, now under suspension, while working as Junior Civil Judge, Sultanabad, Karimnagar District, on 03-03-2010 invited Smt. T.Jyothi, Asst. Public Prosecutor, Junior Civil Judge's Court, Sultanabad to the Legal Literacy Camp at Eligaid Village and Mandal on 06-03-2010 and when she participated the meeting at about 1.00 P.M. while giving speech to the gathered public, in the middle you stated

***"varakatnam casullo attalu elaa anukuntaru – eppudunna kodalni kerosene posi champeste, mallee ekkuwa katnam to ee jyothi laga chala mandi dorukutaru"***

by pointing out Smt.T.Jyothi with your finger in the presence of the advocates of Sultanabad Bar Association, Police, Revenue officials and other public gathered there including Sri K.Sarotham Reddy, President Bar Association, Sultanabad, Sri Diwakar Rao, Member, Mandal Legal Services Authority, Sri Anand Rao, Social Worker, thus you have insulted her with your unwarranted comments, that thus your act, which is derogatory to the prestige of a Judicial Officer and indiscipline, you being a Judicial Officer ought not to have commented in such a manner, which act of yours if proved or established would amount to grave misconduct and unbecoming of a Judicial Officer within the meaning of Rule 3 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

**Articles of Charge No. 2**

That you Sri B.Subhakar Rao, Junior Civil Judge, Sultanabad, now under suspension, while working as Junior Civil Judge, Sultanabad, Karimnagar District,

- a) on 07-03-2010 at about 4.15 P.M. you lodged a compliant before the Sultanabad P.S. against Smt. T.Jyothi, Asst. Public Prosecutor, Junior Civil Judge's Court, Sultanabad, under the provisions of SCs & STs Act, which was numbered as F.I.R. No.42, dated:07-03-2010, wantonly and deliberately with ill motive and with an intention to harass the complainant i.e. Smt. T.Jyothi making allegations that she came to your chambers along with another man on Saturday, i.e. 6-3-2010 at 3.00 P.M. and abused you in the name of your caste and anti Telangana and for other reasons, in the presence of staff, as a counter blast to the complaint filed on 6-3-2010 by Smt. T.Jyothi, Asst. Public Prosecutor, before the S.I. of Police, Jolapalli P.S. against the Junior Civil Judge, Sultanabad.

P.T.O.,

- b) On 7-3-2010 at 6.00 P.M. you lodged another complaint before the Sultanabad P.S. against Smt.T.Jyothi, Asst. Public Prosecutor, Junior Civil Judge's Court, Sultanabad, under the provisions of SCs & STs (POA) Act, which was numbered as F.I.R. No.43 dated:07-03-2010 wantonly and deliberately with ill-motive and with an intention to harass the complainant i.e. Smt. T.Jyothi, making allegations that she came to your residence along with her husband on Saturday i.e. 6-3-2010 at 11.00 A.M. and abused you in the name of your caste and anti Telangana and for other reasons, in the presence of staff, as a counter blast to the complaint filed on 6-3-2010 by Smt. T.Jyothi, Asst. Public Prosecutor, Junior Civil Judge's Court, Sultanabad, that thus misused your caste and abuses your official position, which act of yours, if proved or established would amount to grave misconduct and unbecoming of a Judicial Officer within the meaning of Rule 3 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

### **Articles of Charge No. 3**

That you Sri B.Subhakar Rao, Junior Civil Judge, Sultanabad, now under suspension, while working as Junior Civil Judge, Sultanabad, Karimnagar District,

- a) allowed three advocates, namely Sri P.Bhumaiah, A.Satyanarayana and Anjaneyulu and other 3 persons namely City Cable Ramesh, Pradeep & Ravi of Godavari Khani into your chambers situated in the premises of Junior Civil Judge's Court, Sultanabad and used to consume alcohol smoke cigarettes, supplied by the said persons and chit chat hours together with them in your chamber.
- b) Used to send the court duty constables and staff members of Junior Civil Judge's Court, Sultanabad and some of the advocates for purchasing high priced cigarettes and used to smoke every where in the court premises of Junior Civil Judge's Court, Sultanabad, before the public.
- c) Used to pass judgments/ orders in Civil and Criminal Cases in favour of the advocates who paid money.

That thus you acted in a manner which is derogatory to the prestige of a Judicial Office, which act of yours if proved or established would amount to grave misconduct, unbecoming of a Judicial Officer within the meaning of Rule 3 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

**2.** And whereas, the Charged Officer submitted his written defense statement and on considering the same, a regular enquiry was ordered.

**3.** And whereas, the District Judge (Enquiries) after observing the due formalities during the enquiry, has held that the **charges 1 and 2 are proved and charge No.3 is not proved** against Charged Officer;

**4.** And whereas, the High Court of Andhra Pradesh, on considering the enquiry report and the entire record of enquiry, supplied a copy of enquiry report to the Charged Officer, requesting him to submit his written submissions on the findings recorded against him in the enquiry report. The Charged Officer accordingly, submitted his submissions. On considering the same, a show cause notice has been issued to the officer and the charged officer submitted his explanations. The High Court having considered the entire record of enquiry and the explanation of the charged officer, accepted the findings of the enquiry officer and in view of the gravity of the charges proved against the charged officer in the enquiry report and decided to recommend to His Excellency Governor of Andhra Pradesh to impose the Major penalty of "Compulsory Retirement" from service against Sri B.Subhakar Rao, the Charged Officer, and accordingly the Registrar, High Court of Andhra Pradesh requested the Government to cause issuance of order of imposing major penalty of "Compulsory Retirement" from service upon Sri B.Subhakar Rao, Junior Civil Judge, Sultanabad (now under suspension).

Contd.,

5. Now therefore, Government after careful examination of the matter i.e. findings in the enquiry report, the contentions of the charged officer and the reasons for the rejection of the same and the recommendation of the High Court of Andhra Pradesh and in exercise of the powers conferred by clause (viii) of rule 9 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, hereby decided to **impose the penalty of "Compulsory retirement from service" against** Sri B.Subhakar Rao, Junior Civil Judge, Sultanabad (now under suspension), **with immediate effect.**

6. Accordingly, the following notification shall be published in the Extraordinary issue of the Andhra Pradesh Gazette.

**NOTIFICATION**

In exercise of the powers conferred by clause (viii) of rule 9 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, the Governor of Andhra Pradesh, on the recommendation of the High Court of Andhra Pradesh, hereby impose the penalty of "Compulsory Retirement" from service on Sri B.Subhakar Rao, Junior Civil Judge, Sultanabad (now under suspension) with immediate effect.

A.SHANKAR NARAYANA,  
SECRETARY TO GOVERNMENT,  
LEGISLATIVE AFFAIRS & JUSTICE.

To  
The Registrar (Vigilance), High Court of Andhra Pradesh, Hyderabad.  
The Individual through the Registrar (Vigilance), High Court A.P., Hyderabad.  
The Commissioner, Printing, Stationery and Stores Purchase, (Publication Wing), Hyderabad. (2 copies) for publication in the A.P. Gazette.  
The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.  
The Accountant General of Andhra Pradesh, Hyderabad.  
The Director of Treasuries and Accounts, Hyderabad.  
The District Treasury Officer, Karimnagar.

**Copy to:**

Private Secretary to Governor.  
Private Secretary to Principal Secretary to Chief Minister  
Private Secretary to Minister for Law & Courts.  
Private Secretary to Secretary (LA &J).  
The Law (E) Department.  
SF/SC.

// FORWARDED :: BY :: ORDER //

SECTION OFFICER.